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Counsel for Epson America, Inc.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re

CIRCUIT CITY STORES, INC. et al.,

Debtors.

Case No. 08-35653 (KRH)

Chapter 11

**MOTION PURSUANT TO LOCAL BANKRUPTCY RULE 2090-1(E)(2)
FOR ADMISSION *PRO HAC VICE***

Michael A. Condyles (“Movant”), a member in good standing of the Bar of the Commonwealth of Virginia, an attorney admitted to practice before the United States Bankruptcy Court for the Eastern District of Virginia, and a partner with Kutak Rock LLP, hereby moves the Court, pursuant to this motion (the “Motion”), for the entry of an order, substantially in the form of Exhibit A, authorizing Henry S. David (“Mr. David”), a partner in the law firm of Snell & Wilmer LLP, 250 S. Grand Avenue, Suite 2600, Los Angeles, California 90071, to appear and practice *pro hac vice* on behalf of the Epson America, Inc. (“Epson”) in the above-captioned chapter 11 cases, including the Epson adversary proceeding [Case No. 10-03262], now pending in the United States Bankruptcy Court for the Eastern District of Virginia and any related adversary litigation pursuant to Rule 2090-1(E)(2) of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Virginia (the “Local

Bankruptcy Rules”). In support of this Motion, the Movant states as follows:

1. Mr. David is admitted, practicing and in good standing as a member of the bar of the State of California. He is admitted to practice before the United States District Court for the Northern, Southern, Eastern and Central Districts of California, the Eastern District of Wisconsin and the 9th and 11th Circuit Courts of Appeals. Mr. David has been practicing law since 1979. There are no disciplinary proceedings pending against Mr. David.

2. Pursuant to Local Bankruptcy Rule 2090-1(E)(2), “an attorney from another state, the District of Columbia or a territory of the United States may appear and practice in cases *pro hac vice* before this Court upon motion of a member of the Bar of this Court, provided that in all appearances said attorney shall be accompanied by a member of this Bar.”

3. Movant requests the Court to allow Mr. David to file pleadings and to appear at hearings in these chapter 11 cases.

4. Movant requests the Court to treat this Motion as a written memorandum of points and authorities or waive any requirement that this Motion be accompanied by a written memorandum of points and authorities as described in Rule 9013-1(G) of the Local Bankruptcy Rules for the Eastern District of Virginia.

5. Notice of this Motion has been given to all necessary parties. In light of the nature of the relief requested, the Debtors respectfully submit that no further notice is required.

6. An Application pursuant to Local Bankruptcy Rule 2090-1(E)(2)(a) is attached hereto as Exhibit B.

WHEREFORE, for the reasons set forth herein, the Movant respectfully requests that the Court enter an order, substantially in the form attached hereto as Exhibit A, (a) authorizing Mr. Richards to appear and practice *pro hac vice* on behalf of the Debtors and (b) granting such other and further relief as is just and proper.

Dated: February 9, 2011

Respectfully submitted,

KUTAK ROCK LLP

By: /s/ Michael A. Condyles

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Counsel for Epson America, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2011, a copy of the foregoing was served via ECF notice, on the following:

Co-Counsel for the Plaintiff

Jeffrey N. Pomerantz, Esq.
Andrew W. Caine, Esq.
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Boulevard
Los Angeles, California 90067-4100

Co-Counsel for the Plaintiff

Lynn L. Tavenner, Esq.
Paula S. Beran, Esq.
TAVENNER & BERAN, PLC
20 North Eighth Street, 2nd Floor
Richmond, Virginia 23219

and

Robert J. Feinstein, Esq.
John A. Morris, Esq.
PACHULSKI STANG ZIEHL & JONES LLP
780 Third Avenue, 36th Floor
New York, New York 10017

/s/ Michael A. Condyles
Counsel

EXHIBIT A

Michael A. Condyles (VA 27807)
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Counsel for Epson America, Inc.

**E UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re

CIRCUIT CITY STORES, INC. et al.,

Debtors.

Case No. 08-35653 (KRH)

Chapter 11

**ORDER GRANTING MOTION PURSUANT TO LOCAL BANKRUPTCY RULE
2090-1(E)(2) FOR ADMISSION *PRO HAC VICE***

Upon the motion (the "Motion")¹ of Michael A. Condyles of Kutak Rock LLP for the admission *pro hac vice* of Henry S. David, a partner in the law firm of Snell & Wilmer LLP, 250 S. Grand Avenue, Suite 2600, Los Angeles, California 90071; it appearing that the relief requested is in the best interests of all parties; the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); venue being proper before this court pursuant to 28 U.S.C. §§ 1408 and 1409; and after due deliberation and sufficient cause appearing therefore, it is hereby ORDERED

¹ Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Motion.

1. The Motion is granted in its entirety.
2. Henry S. David is authorized to appear and practice *pro hac vice* as counsel to Epson America, Inc. ("Epson") in the above-captioned chapter 11 cases and any related adversary proceedings.
3. Epson is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
4. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
5. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Richmond, Virginia

Dated: _____

United States Bankruptcy Court Judge

We ask for this:

/s/ _____

KUTAK ROCK LLP

Michael A. Condyles (VA 27807)

Peter J. Barrett (VA 46179)

Jeremy S. Williams (VA 77469)

Bank of America Center

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EXHIBIT B

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

APPLICATION TO QUALIFY AS A FOREIGN ATTORNEY UNDER
LOCAL BANKRUPTCY RULE 2090-1(E)(2)

In Case No.: 08-35653-KRH, * Case Name In re Circuit City Stores, Inc.

PERSONAL STATEMENT

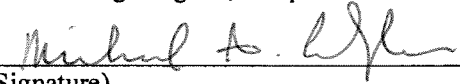
FULL NAME (no initials, please) Henry S. David
Bar Identification Number 89297 / 0315737 State California / Florida
Firm Name Snell & Wilmer LLP
Firm Phone # (213) 929-2500 Direct Dial # (213) 929-2547 FAX # (213) 929-2525
E-Mail Address hdavid@swlaw.com
Office Mailing Address 350 S. Grand Ave., Suite 2600, Los Angeles, CA 90071
Name(s) of federal court(s) in which I have been admitted Northern Dist. of CA, Southern Dist. of CA, Central Dist. of CA, Eastern Dist. of CA, Eastern Dist. of Wisconsin, 9th Cir., and 11th Cir.
I certify that the rules of the federal court in the district in which I maintain my office extend a similar *pro hac vice* admission privilege to members of the bar of the Eastern District of Virginia.

I have not been reprimanded in any court nor has there been any action in any court pertaining to my conduct or fitness as a member of the bar.

I hereby certify that, within 90 days before the submission of this application, I have read the Local Rules of this Court and that my knowledge of the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, and the Federal Rules of Evidence is current.


(Applicant's Signature)

I, the undersigned, do certify that I am a member of the bar of this Court, not related to the applicant; that I know the applicant personally, that the said applicant possesses all of the qualifications required for admission to the bar of this Court; that I have examined the applicant's personal statement. I affirm that his/her personal and professional character and standing are good, and petition the court to admit the applicant *pro hac vice*.


(Signature)

2/9/11
(Date)

Michael A. Condyles
(Typed or Printed Name)

**Pro hac vice* admission in a case shall include an adversary proceeding(s) in the case.